

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

*

v.

*

Crim. No. JKB-05-00415

CALVIN IGNATIUS SAVOY,

*

Defendant.

*

* * * * *

MEMORANDUM AND ORDER

On June 21, 2024, the Court issued a Memorandum and Order granting Calvin Ignatious Savoy's Motion for Compassionate Release, (ECF No. 261), and reducing his sentence to 360 months of imprisonment, to be followed by five years of supervised release. (ECF No. 281.) An Amended Judgment effectuating that sentence reduction followed. (ECF No. 282.)

Previously, on August 26, 2020, the Court had denied an earlier compassionate release motion filed by Mr. Savoy. (ECF No. 250.) Mr. Savoy appealed that ruling, (ECF No. 251), and the case was docketed in the Fourth Circuit under Appellate No. 20-7445. Joshua B. Carpenter of the Federal Defenders of Western North Carolina entered an appearance on Mr. Savoy's behalf.¹ (Court of Appeals Docket No. 20-7445, Document No. 21.) In April 2023, the Government moved to dismiss that appeal on the ground that Mr. Savoy had not noted his appeal within fourteen days of the Court's August 26, 2020, ruling. (*Id.*, Document No. 35.) On September 17, 2024, the Fourth Circuit remanded the case to this Court for the limited purpose of "a determination of whether Savoy has shown excusable neglect or good cause warranting an extension of the appeal

¹ Because Mr. Carpenter is representing Mr. Savoy in connection with the appeal, the Court considers him to be Mr. Savoy's counsel with respect to this Court's determination of excusable neglect or good cause. For the avoidance of any doubt, the Court will also appoint Mr. Carpenter to be Mr. Savoy's counsel in this case for the limited purpose of resolving the issues relating to the case's remand.

period.” (*Id.*, Document No. 41 (ECF No. 287.)) That remand order came almost three months *after* this Court had already granted Savoy’s subsequent compassionate release motion.

It is the Court’s view that Mr. Savoy’s appeal of the Court’s August 26, 2020, ruling is likely to be moot, in light of the fact that the Court subsequently granted Mr. Savoy’s later compassionate release motion and reduced his sentence. Mr. Carpenter, as Mr. Savoy’s Counsel, will be directed to file a brief in this case indicating whether he intends to move for the dismissal of the appeal docketed at Appellate No. 20-7445. And, if he does not intend to move for dismissal, Mr. Carpenter must so state. The Court would then set a briefing schedule for the determination of excusable neglect or good cause.

To be crystal clear, the Court’s June 21, 2024, ruling reducing Mr. Savoy’s sentence to 360 months was not appealed and is the final judgment of the Court. Nothing relating to Mr. Savoy’s appeal in Appellate No. 20-7445 has any bearing on that ruling, which remains in effect.

For the foregoing reasons, it is ORDERED that:

1. To the extent that Joshua B. Carpenter is not already considered Mr. Savoy’s counsel for the purpose of the Court’s determination of the issues relating to the Fourth Circuit’s remand order of September 17, 2024, (ECF No. 287), the Court finds that Mr. Savoy is financially unable to obtain counsel and is entitled to appointment of counsel under the Criminal Justice Act. Accordingly, Mr. Carpenter is hereby appointed to represent Mr. Savoy for the purposes discussed in this Memorandum and Order.
2. Mr. Carpenter SHALL FILE, within fourteen days of the date of this Memorandum and Order, briefing indicating whether he intends to pursue the appeal in Appellate No. 20-7445, or whether he intends to move for the dismissal of said appeal in light of this Court’s June 21, 2024, Memorandum and Order reducing Mr. Savoy’s sentence, (ECF No. 281).

3. The Clerk is DIRECTED to send a copy of this Memorandum and Order to Mr. Carpenter, using the contact information listed for him on the Fourth Circuit's docket in Appellate No. 20-7445.

DATED this 22 day of October, 2024.

BY THE COURT:

A handwritten signature in blue ink, reading "James K. Bredar", is written over a horizontal line.

James K. Bredar
United States District Judge